

# Request for Proposals

## **Single Stream Recycling Program**

**RFP 13-34**

Sealed proposals will be received until  
2:00 p.m. on Tuesday,  
October 1, 2013

Return Proposals to:  
City of Killeen  
Purchasing Division  
207A. West Ave. D  
Killeen, TX 76541

**INSTRUCTIONS TO  
RESPONDENTS  
CITY OF KILLEEN**

**INSTRUCTIONS/TERMS OF CONTRACT**

**RFP NO. 13-34; Single Stream Recycling Program**

It is understood that Council reserves the right to reject any or all proposals as it shall deem to be in the best interests of City. Receipt of any proposal shall under no circumstances obligate City to accept the lowest dollar proposal. The award of this contract shall be made to the most responsible proposal (hereinafter referred to as "Proposer") whose proposal is determined to be the lowest evaluated offer resulting from negotiation, taking into consideration the relative importance of price and the other evaluation factors set forth in the Request for Proposal.

**Deadline** for any questions or requests for clarification must be submitted to the Purchasing Office, prior to **September 16, 2013 at 5 pm** via email to the Purchasing Manager: [kjessie@killeentexas.gov](mailto:kjessie@killeentexas.gov). There will be no exceptions. All responses to the questions will be sent to all known Proposers and posted to the City website, Demand Star and Electronic State Business Daily in addendum form.

Proposals shall include this RFP and all additional documents submitted, to include the conflict of interest documents. Each proposal shall be placed in a separate, sealed envelope, with **each page manually initialed and the last page signed by a person having authority to bind the firm in a contract** and marked clearly on the outside as shown below. **FACSIMILE TRANSMITTALS SHALL NOT BE ACCEPTED.**

Submission of proposals: Three (3) copies of all signed proposal documents shall be sealed and submitted no later than **October 1, 2013, 2:00pm** to:

Deliver Address:

City of Killeen  
Purchasing Division  
207 A West Ave D  
Killeen, TX 76541

**MARK ENVELOPE: "RFP NO. 13-34; Single Stream Recycling Program"**

RFP packets may be obtained from the City of Killeen, Purchasing Department, 207 A W. Avenue D, Killeen, Texas 76541, phone (254) 501-7729.

Proposers may download the RFP packet from the City's website at: <http://www.ci.killeen.tx.us/index.php?section=107>

The City of Killeen reserves the right to reject any or all RFP's and waive any irregularities.

**Late Proposals:** Proposals received in City's Purchasing Office after submission deadline will be considered void and unacceptable. City is not responsible for lateness or non-delivery of mail, carrier, etc., and the date/time stamp in the Purchasing Office shall be the official time of receipt.

**Altering of Proposals:** Any alterations or erasure made before opening time must be initialed by the signer of the proposal, guaranteeing authenticity.

\_\_\_\_\_  
Proposer's Initial

Withdrawal of Proposals: A proposal may not be withdrawn or canceled by the Proposer without permission of the City for a period of ninety (90) days following the date designated for the receipt of proposals, and Proposer so agrees upon submittal of their proposal.

Pre-Evaluation Conference: A mandatory pre-proposal conference for respondents will be held at **2:00 pm on Monday September 9, 2013**, in the City of Killeen Solid Waste Admin. Bldg, Location: 2003 Little Nolan Road, Bldg I, Training Room

Proposals will be received at the Purchasing Division located at 207 A West Ave D, Killeen, TX 76541, until **October 1, 2013 at 2:00 p.m.**

Sales Tax: The City of Killeen is exempt by law from payment of Texas Sales Tax and Federal Excise Tax, therefore the proposal shall not include sales taxes.

Change Orders: No oral statement of any person shall modify or otherwise change, or affect the terms, conditions of specifications stated in the resulting contract. All change orders to the contract will be made in writing by the Purchasing Division.

If during the life of the contract, the successful proposal's net prices to other customers for the same services awarded herein are reduced below the contracted price, it is understood and agreed that the benefits of such reduction shall be extended to the City.

A price redetermination may be considered by City only at the time of a model change during the year or at the anniversary date of the contract and shall be substantiated in writing (i.e. manufacturer's direct cost, postage rates, Railroad Commission rates, wage/labor rates, etc). The Proposer's past history of honoring contracts at the contract price will be an important consideration in the evaluation of the lowest and best proposal. City reserves the right to accept or reject any/all of the price determination as it deems to be in the best interest of City.

Conflict of Interest: The Proposer agrees that if a member of the City Council, a Councilmember's close relative or any officer or employee of the City has a financial interest, direct or indirect, or by reason of ownership of stock in any corporation, in any contract with the City, or be financially interested, directly or indirectly, in the sale to the City any land, materials, supplies or services except on behalf of the City, as an officer or employee, the official shall file before a vote or decision on any matter involving the business entity or the real property, an affidavit stating the nature and extent of the interest and shall abstain from further participation in the matter if:

- a. in the case of a substantial interest in a business entity the action on the matter will have a special economic effect on the business entity that is distinguishable from the effect on the public; or
- b. in the case of a substantial interest in real property, it is reasonably foreseeable that an action on the matter will have a special economic effect on the value of the property, distinguishable from its effect on the public.

Ethics: The Proposer shall not offer or accept gifts or anything of value nor enter into any business arrangement with any employee, official or agent of City.

Exceptions: All proposals meeting the intent of this RFP will be considered for negotiations. Proposers taking exception to the specifications, or offering substitutions, shall state these exceptions in the section provided or by attachment as part of the proposal. The absence of such a list shall indicate that the Proposer has not taken exceptions and the Proposer shall be responsible for performing in strict accordance with the specifications of the RFP. Council reserves the right to accept any and all or none of the exception(s)/substitutions(s) deemed to be in the best interest of City.

Descriptions: Any reference to model and/or make/manufacture used in RFP specifications is descriptive, not restrictive. It is used to indicate the type and quality desired. Proposals on items of like quality will be considered.

Addenda: Any interpretations, corrections or changes to this RFP and Specifications will be made by addenda. Sole issuing authority of addenda shall be vested in the Purchasing Manager. Addenda will be mailed to all that are known to have received a copy of this RFP. Proposers shall acknowledge receipt of all addenda.

Proposal must comply with all federal, state, county, and local laws concerning this type of service.

Minimum standards for responsible prospective Proposer: A prospective Proposer must affirmatively demonstrate responsibility by meeting the following requirements:

1. have adequate financial resources, or the ability to obtain such resources as required;
2. be able to comply with the required or proposed pickup schedule;
3. have a satisfactory record of performance;
4. have a satisfactory record of integrity and ethics;
5. be otherwise qualified and eligible to receive an award.

City of Killeen may request representation and other information sufficient to determine offerer's ability to meet these minimum standards listed above.

References: Proposers shall supply with this RFP a list of at least three (3) references where like services have been supplied by their firm.

Prospective Proposers shall provide with this proposal response, all documentation required by this RFP. Failure to provide this information may result in rejection of proposal.

Proposer shall defend, indemnify and save harmless City of Killeen and all its' officers, agents and employees from all suits, actions, or other claims of any character, name and description brought for or on account of any injuries or damages received or sustained by any person, persons, or property on account of any negligent act or fault of the Proposer, or of any agent, employee, sub-Proposer or supplier in the execution of, or performance under, any contract which may result from proposal award. Proposer shall pay any judgment with costs which may be obtained against the City of Killeen growing out of such injury or damages.

SILENCE OF SPECIFICATION: The apparent silence of these specifications as to any detail or to the apparent omission from it of a detailed description concerning any point, shall be regarded as meaning that only the best commercial practices are to prevail. All interpretations of these specifications shall be made on the basis of this statement.

LOCAL PREFERENCE: As stated in Section 271.9051(b) of the Texas Local Government Code, "In purchasing real property or personal property that is not affixed to real property, or services, if a municipality receives one or more competitive sealed proposals from a Proposer whose principal place of business is in the municipality and whose proposal is within five percent of the lowest proposal price received by the municipality from a Proposer who is not a resident of the municipality, the municipality may enter into a contract for an expenditure of less than \$100,000 with: (1) the lowest proposal; or (2) the Proposer whose principal place of business is in the municipality if the governing body of the local government determines, in writing, that the local Proposer offers the municipality the best combination of contract price and additional economic development opportunities for the municipality created by the

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Proposer's Initial

contract award, including the employment of residents of the municipality and increased tax revenues to the municipality.”

## BACKGROUND INFORMATION:

The City of Killeen, Texas, is seeking proposals from qualified firms to provide processing and marketing of recyclable materials collected via the City's Proposed Single Stream (co-mingled) Curbside Recycling Program. Single Stream Recycling means that customers of the City do not separate any recyclable commodities.

The City's current population is over 133,000 with over 46,000 residential garbage customers. It is the City's desire to move from Curb Sorted Recycling to a Single Stream Curbside Recycling program. This program will be Citywide to include all residential customers. The residential recycling containers needed to expand the recycling program citywide will be procured by the City. Due to the enormity of the change from Curb Sorted Recycling to Single Stream Recycling, the program will be phased in over a 12-18 month period. Presently, the City's Curb Sorted Recycling Program includes collection of the following recyclable materials:

- Mixed paper, magazines, newspapers, paste board, corrugated cardboard, junk mail, office paper
- #1 and 2 plastics
- Steel, aluminum, and tin cans
- Glass bottles and jars

The new Single Stream Recycling program should include:

- Mixed paper, magazines, newspapers, paste board, corrugated cardboard, junk mail, office paper
- Plastics labeled 1-7
- Aseptic containers
- Steel, aluminum, and tin cans

No glass will be accepted into the Single Stream program at this time.

## SCOPE OF SERVICES:

### **A. RECYCLING FACILITY:**

The City is seeking a cost effective location for delivery of recyclable materials. All recyclables, as defined herein, will be collected by City refuse trucks and delivered co-mingled for sorting and processing to the selected contractor at a location within the City of Killeen, or in close proximity of Killeen, or a mutually agreed upon location.

The selected contractor shall be responsible for having a Materials Recovery Facility (MRF) or transfer depot located in Killeen, or in close proximity to Killeen, or a mutually agreed upon location, to accept and process recyclables for marketing or transfer to another processing facility outside the City. The City acknowledges that the initial facility may be just a transfer depot with the future development of a MRF, by the selected contractor, as soon as economically and physically feasible. However, a MRF initially is preferred. The City has a location that could be used as an intermediate processing facility on city property located at what is referred to as the "Old City Transfer Station", located at 12200 State HWY 195 Killeen, TX 76549. This property could be made available as part of the agreement between the successful respondent and the City, depending upon other terms and conditions of the proposal. The use of the "Old Transfer Station" which could be leased to the selected processor for use as an Intermediate Materials Processing Facility (IMPF) would be available for all of the Recycling Providers clients, as well as the City of Killeen. Your rate structure with processing cost per ton should be included in this proposal.

When a recycling facility of any type is constructed, the City is requesting that the facility or facilities be enclosed to address the following:

- Prevention of the release of material or litter on the contractor's property
- Prevention of the release of material or litter onto the public or other person's private property
- Protection of recyclable material from depreciation in value due to exposure to weather
- Prevention of other nuisances including, but not limited to, noise and odor

As part of the design of the recycling facility, the contractor shall provide a designated tipping area for one (1) City vehicle during all hours of operation and reserved solely for use by City of Killeen vehicles. This tipping area shall have a minimum truck clearance of thirty (30) feet as required for entry, disposition, and exit of the location.

In addition, as part of the design of the recycling facility, the City envisions that the selected contractor will have an operational certified scale and a system for logging the City vehicle number, the net weight, and other information requested by the City.

The driving surface of the MRF or transfer depot shall be of sufficient load bearing design to withstand the weight of City vehicles utilizing the facility. In the event that said driving surfaces begin to deteriorate, the contractor shall take immediate action to repair the driving surface. All repairs to any city property used by the processor will be at the processor's expense.

The contractor shall store recyclable materials as to prevent degradation of recyclable materials, negative impact to maneuvering of vehicles, and secure the safety of persons at the MRF and/or recycling transfer depot. The contractor shall provide a minimum storage capacity equal to or greater than the amount of material delivered over three (3) consecutive operational days.

**B. CONTRACT TERM:**

The City is anticipating that the selected contractor will commence services for the City within 12-18 months from the contract award date. The term of the contract is negotiable. However, the City is expecting that the initial term of the contract will be at least 10 years due to the capital investment that will be required to provide the requested services, with optional renewal periods.

**C. FISCAL IMPACT TO THE CITY:**

It will be the selected contractor's responsibility to process and market the recyclable materials. It is the City's desire not to have a net expense related to this program; more so, it is the City's desire to ultimately have net revenues resulting from the recycling program.

**D. MINIMUM ACCEPTABLE RECYCLABLE MATERIALS:**

The City of Killeen is interested in expanding the recycling program in the City. As part of this solicitation, the City is requesting the successful contractor provide for processing and marketing of as many recyclable materials as possible.

**E. HOURS OF OPERATION:**

At a minimum, the contractor shall accept recyclable material picked up under the City's curbside recycling program from 7:00 AM local time to approximately 6:00 PM local time on Monday, Tuesday, Thursday, and Friday. Solid waste pickup, including Residential Garbage pickup does not change through the year and during holidays. The Solid Waste Department operates on a normal weekly schedule, regardless of city government office's work schedule. The recycling facility should be open during the hours defined above and able to expand to Wednesday's in the event a commercial recycling program is

established.

**F. PERSONNEL REQUIREMENTS:**

It is essential that the contractor provide adequate experienced personnel, capable of and devoted to the successful accomplishment of work to be performed under this contract. The contractor shall agree to assign specific individuals to the key positions, and the contractor shall agree that, once assigned to work under this contract, key personnel shall not be removed or replaced without written notice to the City.

**G. PUBLIC EDUCATION AND OUTREACH:**

To ensure that the City's curbside recycling program is a success, it will be important to educate the general public. It is desired that the selected contractor provide an educational and promotional plan that can improve the recovery rate of recyclable materials from City customers. This plan could identify how the contractor will support community efforts to promote recycling through special events and the news media.

**H. TRANSITION SUPPORT:**

The selected contractor shall cooperate fully and timely with the City and any previous and subsequent provider(s) in any transition of processing and marketing of recyclable materials.

**I. EXCLUSIVE AND NON-EXCLUSIVE PROCESSING AND MARKETING:**

Until such time as the City of Killeen establishes a Commercial Recycling Program, Commercial customers throughout the City have the option to market their recyclable materials, as they deem appropriate. Once the City establishes a Commercial Recycling program, the City will be the sole provider of such services.

**J. COST OF RESIDUALS IN RECYCLING STREAM AND RECOMMENDED WAY TO CONTROL:**

The City requests that the provider of processing cover price structure related to and or how increased residuals in the recycling stream would possibly affect pricing for sale of recycling materials. The City also requests any recommendations based on experience of the provider of processing concerning enforcement, or steps the city should take to ensure a minimal amount of residuals in the recycling stream.

**REQUIRED CONTRACTOR QUALIFICATIONS:**

The contractor shall demonstrate the following qualifications:

- Shall have a strong, positive reputation with at least three (3) years of successful experience, of providing services as outlined in this RFP.
- Shall be able to demonstrate availability of human resources to perform the contract as specified.
- Shall create, maintain, and make available to the City for audit all records regarding tonnage of material delivered by commodity, dates of deliveries, entity marketed to, unacceptable loads, and other information as may be requested by the City.
- Shall grant physical access and respond to any questions or audit requests of any duly authorized City representatives at any facility where City recyclable materials are processed.
- Shall comply with all federal, state, and local laws that relate to recycling, the transport of materials, and the construction of any facility.
- Shall be able to comply with the attached Insurance Requirements as stated in Attachment #2.
- Shall be able to execute the attached Services Agreement. (Attachment #3)
- Shall provide on an annual basis a Performance Bond, and if applicable, Payment Bond for the value of the services being provided to the City over a 6- month period. The Payment Bond is relevant if the contractor subcontracts any of the services. All bonds shall be issued by a solvent



company authorized to do business in the State of Texas, and shall meet any other requirements established by law or by the City pursuant to applicable law.

- Shall have financial strength, resources, and capability to finance the work to be performed, and upon request, be willing to provide the City with a copy of your firm's financial statements for the past two (2) years.

#### EVALUATION CRITERIA AND SELECTION:

The award of this contract shall be made to the responsible Respondent whose proposal is determined to provide the best value for the City based on the published selection criteria below and its ranking evaluations. Submitted proposals will be ranked by an evaluation committee according to the following criteria:

- Demonstrated applicable experience and personnel qualifications with proven capacities and capabilities of serving communities with similar operational requirements like the City of Killeen, 15%
- Fiscal impact to the City, 20%
- Project organization, management, and operational plan, including convenience of location where City will drop recyclable materials, 20%
- Long-term facility and operation plan, 10%
- Public education offerings, including innovative approaches to increase recycling rates, 10%
- Implementation plan and timeline, 5%
- Financial capability and capacity, 5%
- Quality of reports made available to the City, 5%
- Completeness of recyclable materials package, 5%
- Contractor's responsiveness to all provisions of this RFP, 5%

Oral interviews may be conducted with the top firm(s) as selected by the committee. Any expenses of attending an on-site interview or responding to any information requests are not reimbursable by the City of Killeen and are at the sole discretion of the Respondent.

The City of Killeen reserves the right to reject any and all proposals submitted and to waive any informality in proposals received. The City also reserves the right to request additional information from Respondents. The award will be made to the firm which, in the opinion of the City, is the best qualified to assist the City in accomplishing its objectives. The City reserves the right to negotiate a contract with the selected Respondent.

#### INFORMATION REQUESTED FROM RESPONDENTS:

Each proposal submittal shall contain all the items listed below, and filed in the categorical order stated below. Submittals shall be prepared simply and economically, providing a straightforward, concise description of the respondent's ability to meet the requirement of this RFP. Emphasis shall be on the quality, completeness, clarity of content, responsiveness to the requirements, and an understanding of the City's needs. Incomplete submittals may be rejected in technical review by the Evaluation Committee.

Briefly state your understanding of the services being requested, and your ability to comply with the requirements as stated herein.

Give the names of the persons authorized to make representations for your firm, their titles, addresses, telephone numbers, and email addresses.

#### CONTRACTOR EXPERIENCE & QUALIFICATIONS

- Give an overview of the origination and history of your company.

- State the location of the office which will provide the services to the City and an organization chart identifying the personnel resources available by position in this office to serve the City's contract.
- Describe your firm's experience and history in providing the services being requested, including a listing of current and prior customers over the last 10 years in which your company has provided services similar to what is being requested by the City of Killeen. The customer list should identify their location, scope of services, duration of contract, and the facility owner name & contact information.
- In the last 10 years, identify whether any contract awarded to your company has ended prior to the contract expiration date.
- Identify the anticipated key personnel of the proposed project team and a description of their role in the contract, relevant work experience, certifications, and expertise. Please provide a resume for the key personnel.
- If subcontractors will be used, identify and include their qualifications and project-specific history.
- Identify any notice of violations received from an environmental regulatory agency in the last 10 years, and if any have been received, indicate how the case(s) was resolved.

#### **K. PROPOSED PLAN**

1. Describe your operation plan for servicing the City's contract, including, but not limited to, the location for transferring the recyclable materials from the City trucks to your company, hours of operation, staffing plan, sorting plan, how non-acceptable materials will be addressed, bookkeeping and reporting plan, and marketing plan.

2. List the recyclable materials that you will accept, and describe your plan for expanding the list to additional commodities in the future.

3. Identify the controls that will be in place in your operation plan to ensure that the City is given credit for all recyclable materials collected.

4. State your proposed contract term.

5. Identify your long-term facility and operation plan for the City (i.e. beyond the initial start-up phase).

6. State your proposed implementation timeline.

7. Provide examples of the report(s) that the City will receive on a monthly basis to monitor the recycling program.

8. State your plan for public education and outreach, and provide examples of successful public education programs you have led in other communities.

#### **L. PROPOSED PRICING/COMPENSATION**

Compile a detailed pricing/compensation proposal clearly identifying proposed processing fees to be charged the City and revenue shares offered back to the City by commodity. If your revenue sharing proposal is based on published commodity rates, please state the current commodity rates and include with your proposal the latest publication that support the current commodity rate.

#### **M. FINANCIAL STRENGTH**

Provide a document that will substantiate your company's financial strength, resources, and capability to finance the work to be performed and provided. This could be a Dunn & Bradstreet report or an audited financial statement.

## RESPONDENT COVER SHEET

<b>Company Name</b>	
<b>Address</b>	
<b>City, State, Zip</b>	
<b>Phone Number</b>	
<b>Fax Number</b>	
<b>Email Address</b>	
<b>Tax Identification Number</b>	
<b>Signature of Authorized Agent</b>	
<b>Printed Name of Authorized Agent</b>	
<b>Title</b>	
<b>Date</b>	

## PROPOSAL AFFIDAVIT

All pages in proposal containing statements, letters, etc., shall be signed by a duly authorized officer of the company, whose signature is binding on the proposal. The undersigned offers and agrees to furnish all of the items/services upon which prices are stated in the accompanying proposal. The period of acceptance of this proposal will be 90 calendar days from the date of the proposal opening.

STATE OF \_\_\_\_\_ COUNTY OF \_\_\_\_\_

BEFORE ME, the undersigned authority, a Notary Public in and for the State of \_\_\_\_\_, on this day personally appeared, who after being by me duly sworn, did depose and say:

"I, \_\_\_\_\_, am a duly authorized officer of/agent for

(name)

\_\_\_\_\_, and have been duly authorized to execute the

(name of firm)

foregoing proposal on behalf of the said

(name of firm)

I hereby certify that the foregoing proposal has not been prepared in collusion with any other offeror or other persons engaged in the same line of business prior to the official receipt of this proposal. Further, I certify that the officer is not now, nor has been in the past six (6) months, directly or indirectly concerned in any pool or agreement or combination, to control the price of services/items offered, or to influence any person or persons to offer or not to offer thereon."

Name, address and phone number of officer: \_\_\_\_\_

By: \_\_\_\_\_  
printed name title

Signature: \_\_\_\_\_

SUBSCRIBED AND SWORN to before me by the above named \_\_\_\_\_  
on this \_\_\_\_ day of \_\_\_\_\_, 2013.

Notary Public in and for the State of \_\_\_\_\_.

\_\_\_\_\_  
Notary signature

## **CONFLICT OF INTEREST QUESTIONNAIRE, FORM CIQ**

H.B. 914, passed during the 2005 Texas legislative session, as amended by H.B. 1491 passed in 2007, requires certain persons who wish to conduct business or be considered for business with a city to file a “conflict of interest questionnaire.” The Texas Ethics Commission (TEC) created the conflict of interest questionnaire (FORM CIQ). These laws are codified in Chap. 176 of the Texas Local Government Code.

### **What vendors/persons are subject to Chapter 176?**

The word “person” includes a partnership, corporation or other corporate body, including those performing professional services. Such partnerships or corporations act through individuals, but it is the partnership or corporation that would be seeking to do business with the city.

- Any “person” who contracts or seeks to contract for the sale or purchase of property, goods, or services with a local governmental entity
- An agent of a person who contracts or seeks to contract for the sale or purchase of property, goods, or services with a local governmental entity
- A vendor shall file a completed conflict of interest questionnaire if the person has a business relationship with a local governmental entity and:

(1) has an employment or other business relationship with an officer of that local governmental entity, or a family member of the officer that results in taxable income exceeding \$2,500 during the 12 month period preceding the date a contract is executed or a contract is being considered; or

(2) has given an officer of that local governmental entity, or a family member of the officer, one or more gifts with the aggregate value of more than \$250 in the 12 month period preceding the date a contract is executed or a contract is being considered.

### **What triggers the requirement to file a “conflict of interest questionnaire”?**

When a person begins (1) contract discussions or negotiations with the city or (2) submits an application, response to request for proposals or bids, correspondence, or another writing related to a potential agreement, Form CIQ must be completed. Whether the person initiates the discussion or the city initiates the discussions, Form CIQ must be completed. Even if the vendor has no affiliation or business relationship with an officer or employee of the city, Form CIQ must be completed and submitted.

### **To what type of contracts does the bill apply?**

Any written contract and any implied contract, such as purchase orders, procurement card purchases, utility purchases, or any exchange of money or other consideration for some service or property. The monetary amount or value of the contract/purchase does not matter.

### **When must a vendor file the conflict of interest questionnaire?**

No later than seven days after the date the person: (a) begins contract discussions or negotiations with the city, or (b) submits an application or response to a request for proposals or bids, correspondence, or another writing related to a potential agreement with a city, or (c) becomes aware of an employment relationship with a local government officer or family member of the officer, or (d) becomes aware of a qualifying gift..

### **What has to be revealed?**

Section 176.006 requires disclosure of a person’s employment or business relationships. This includes each employment or business relationship with a corporation or other business entity with respect to

which a local government officer services as an officer or director or holds an ownership interest of 10% or more.

**How do I go about filling out the Conflict of Interest Questionnaire form?**

Each number below corresponds with the number on FORM CIQ:

1. Fill in the full name of the person who is trying to do business with the City. If the person is a corporation, partnership, etc., then it is the name of that corporation, partnership, etc., that is required on Form CIQ.

2. Check box if the form is an update to a form previously completed. Updates are required by the 7<sup>th</sup> business day after an event that makes a statement in a previously filed questionnaire incomplete or inaccurate. Updates are also required by September 1 of each year in which the person submits a proposal, bid or response to the City of Killeen or begins contract discussions or negotiations with the City.

3. Complete this Section by listing the name of the local government officer (member of City Council or City Manager) with whom there is an affiliation to or business relationship and you checked the “Yes” box in Section 3 A, B, or C.

If there is more than one local government officer (City Council or City Manager) with whom there is an affiliation or business relationship, more than one page two may be needed to provide information on each local government officer.

4. State whether the local government officer named on the form receives or is likely to receive taxable income, other than investment income, from the vendor filing the questionnaire.

5. State whether the filer receives or is likely to receive taxable income, other than investment income, from or at the direction of the local government officer named on the form AND the taxable income is not received from the local governmental entity.

6. State whether the filer is employed by a corporation or other business entity with which the local government officer serves as an officer or director or holds an ownership interest of 10% or more.

7. Describe each employment or business relationship with the local government officer named on the form.

8. Signature box. Person completing form must date and sign the form. If the form is being completed for a corporation, partnerships, etc., the person signing should be someone who is authorized to act on behalf of the corporation, partnership, etc.

**A signature is required in box #4 regardless of any other entry on the form.**

**A copy of Chapter 176 of the Texas Local Government Code can be found at:**

**<http://www.statutes.legis.state.tx.us/SOTWDocs/LG/htm/LG.176.htm>**

**CONFLICT OF INTEREST QUESTIONNAIRE****FORM CIQ**

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**OFFICE USE ONLY**

Date Received

**1** Name of person who has a business relationship with local governmental entity.**2** ☐ Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C &amp; D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

☐ Yes ☐ No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

☐ Yes ☐ No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

☐ Yes ☐ No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**\_\_\_\_\_  
Signature of person doing business with the governmental entity\_\_\_\_\_  
Date

Adopted 06/29/2007

## REFERENCES

Include below three public administration references that have conducted business with your company:

### Reference #1

Company Name \_\_\_\_\_

Address \_\_\_\_\_

Type of Business \_\_\_\_\_

Contact Person \_\_\_\_\_

Telephone and Fax #'s \_\_\_\_\_

### Reference #2

Company Name \_\_\_\_\_

Address \_\_\_\_\_

Type of Business \_\_\_\_\_

Contact Person \_\_\_\_\_

Telephone and Fax #'s \_\_\_\_\_

### Reference #3

Company Name \_\_\_\_\_

Address \_\_\_\_\_

Type of Business \_\_\_\_\_

Contact Person \_\_\_\_\_

Telephone and Fax #'s \_\_\_\_\_